

Attorney Docket No.: 089991  
Client Ref. No.: PFBA-03040-US

PTO/SB/01A (08-03)

# DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)

## Title of Invention

OPTICAL SWITCH, DIRECTIONAL COUPLER TYPE OPTICAL MODULATOR WITH TRAVELING-WAVE ELECTRODE, AND OPTICAL COMMUNICATION SYSTEM

As the below named inventor(s), I/we declare that:

This declaration is directed to:

- ☐ The attached application, or
- ☒ Application No. 10/655,769, filed on September 5, 2003
- ☐ as amended on \_\_\_\_\_ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

All statements made herein of my/our own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

## FULL NAME OF INVENTOR(S)

Inventor 1 Haruhisa Soda Date: Oct. 8, 2003

Signature: Haruhisa Soda Citizen of: Japan

Inventor 2 Mr. Shigeru Nakagawa Date: 10/8/03

Signature: Shigeru Nakagawa Citizen of: Japan

Inventor 3 \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_ Citizen of: \_\_\_\_\_

Inventor 4 \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_ Citizen of: \_\_\_\_\_

☐ Additional inventors are being named on additional form(s) attached hereto.



PFBA-03040-US

PTO/SB/96 (08-03)

Attorney Docket No. 089991

**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: Haruhisa Soda et al.Application No./Patent No.: 10/655,769Filed/Issue Date: September 9, 2003Entitled: OPTICAL SWITCH, DIRECTIONAL COUPLER TYPE OPTICAL MODULATOR WITH TRAVELING-WAVE ELECTRODE, AND OPTICAL COMMUNICATION SYSTEMFiBest, Ltd., a Corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by, percentage) of its ownership interest is \_\_\_\_\_%

in the patent application/patent identified above by virtue of either:

- A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

2. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

3. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☒ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.8]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Oct. 8, 2003

Date

\_\_\_\_\_  
Telephone numberTakao Kaneda, Ph.D.

Typed or printed name

  
SignaturePresident and CEO

Title

Attorney Docket No.: 089991  
Client Reference No.: PFBA-03040-US

### ASSIGNMENT OF PATENT APPLICATION

WHEREAS, Haruhisa Soda of c/o FiBest, Ltd., 4-14-1, Myojin-Cho, Hachioji City Tokyo 192-0046, Japan; Shigeru Nakagawa of c/o FiBest, Ltd., 4-14-1, Myojin-Cho, Hachioji City Tokyo 192-0046, Japan hereinafter referred to as "Assignors," are the inventors of the invention described and set forth in the below-identified application for United States Letters Patent:

Title of Invention: OPTICAL SWITCH, DIRECTIONAL COUPLER TYPE  
OPTICAL MODULATOR WITH TRAVELING-WAVE  
ELECTRODE, AND OPTICAL COMMUNICATION  
SYSTEM

Filing Date: September 5, 2003

Application No.: 10/655,769; and

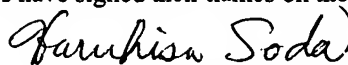
WHEREAS, FiBest, Ltd. of 4-14-1, Myojin-Cho, Hachioji, Tokyo 192-0046, Japan, hereinafter referred to as "ASSIGNEE," is desirous of acquiring ASSIGNORS' interest in the said invention and application and in any U.S. Letters Patent which may be granted on the same;

NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN: Be it known that, for good and valuable consideration, receipt of which is hereby acknowledged by Assignors, Assignors have sold, assigned and transferred, and by these presents do sell, assign and transfer unto the said Assignees, and Assignees' successors and assigns, all their right, title and interest in and to the said invention and application, and in and to any Letters Patent which may hereafter be granted on the same in the United States, the said interest to be held and enjoyed by said Assignees as fully and exclusively as it would have been held and enjoyed by said Assignors had this Assignment and transfer not been made, to the full end and term of any Letters Patent which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Assignors further agree that they will, without charge to Assignee, but at Assignee's expense, cooperate with Assignee in the prosecution of said application and/or applications, execute, verify, acknowledge and deliver all such further papers, including applications for Letters Patent and for the reissue thereof, and instruments of assignment and transfer thereof, and will perform such other acts as Assignee lawfully may request, to obtain or maintain Letters Patent for said invention and improvement, and to vest title thereto in Assignee, or Assignee's successors and assigns.

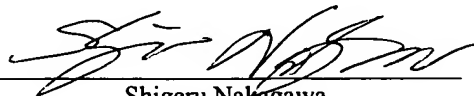
IN TESTIMONY WHEREOF, Assignors have signed their names on the dates indicated.

Dated: Oct. 8. 2003



Haruhisa Soda

Dated: 10/8/03



Shigeru Nakagawa



<b>POWER OF ATTORNEY and CORRESPONDENCE ADDRESS INDICATION FORM</b>	<b>Application Number</b>	10/655,769
	<b>Filing Date</b>	September 5, 2003
	<b>First Named Inventor</b>	Soda, Haruhisa
	<b>Title</b>	OPTICAL SWITCH, DIRECTIONAL COUPLER TYPE OPTICAL MODULATOR WITH TRAVELING-WAVE ELECTRODE, AND OPTICAL COMMUNICATION SYSTEM
	<b>Art Unit</b>	2874
	<b>Examiner Name</b>	
	<b>Attorney Docket Number</b>	089991

I hereby appoint:

☒ Practitioners associated with the Customer Number 20350

OR

☐ Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

☒ The address associated with the above-mentioned Customer Number:

OR

☐ The address associated with Customer Number:

OR

<input type="checkbox"/> Firm or Individual Name					
Address					
Address					
City		State		ZIP	
Country					
Telephone	(650) 326-2400	Fax	(650) 326-2422		

I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

**SIGNATURE of Applicant or Assignee of Record**

<b>Name</b>	Takao Kaneda, Ph.D., President and CEO		
<b>Signature</b>			
<b>Date</b>	Oct. 8/2003	<b>Telephone</b>	

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ \*Total of 1 forms are submitted.